

**UNITED STATES DISTRICT COURT
DISTRICT OF PUERTO RICO**

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO, *et al.*,

Debtors.

PROMESA
Title III

No. 17 BK 3283-LTS

(Jointly Administered)

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

PUERTO RICO SALES TAX FINANCING
CORPORATION,

Debtor.

PROMESA
Title III

No. 17 BK 3284-LTS

**INFORMATIVE MOTION OF THE GMS GROUP, LLC SUBMITTING REBUTTAL
EVIDENCE FOR THE JANUARY 16-17, 2017 HEARING**

GODREAU & GONZALEZ LAW, LLC

Rafael A. González Valiente
P.O. Box 9024176
San Juan, PR 00902-4176
787.726.0077 (office)
787.360.0787 (cell)
rgv@g-glawpr.com

PERKINS COIE LLP

Gary F. Eisenberg (pro hac vice application pending)
30 Rockefeller Plaza, 22nd Floor
New York, NY 10112
Telephone: (212) 262-6902
Facsimile: (212) 977-1632
Email: geisenberg@perkinscoie.com

Attorneys for The GMS Group, LLC

Dated: January 15, 2019

The GMS Group, LLC (“GMS” or “Secured Creditor”), respectfully shows the Court as follows:

1. GMS timely filed an Objection to the Confirmation of the Plan of Adjustment and a Supplement to the Objection along with a Joinder to the Peter Hein Objection.
2. GMS also submitted several declarations in support of said filings.
3. On January 9, 2018, this Honorable Court entered an Order regarding the procedures to appear and present witnesses on the hearing scheduled for January 16-17, 2019 (the “Order”). Dkt. 4647
4. The Order states that “[t]he Court will review all declarations that have been submitted in either support of or opposition to the Hearing Matters in advance of the Hearing. All such declarations are deemed submitted as direct testimony.” Dkt. 4647.
5. The Order then states that “[a]ny proponent of or timely objector to any Hearing Matter who wishes to proffer additional exhibits relating to cross-examination or rebuttal testimony is hereby directed to mark, designate, and file such evidentiary materials on CM/ECF no later than January 14, 2019 at 12:00 p.m. (Atlantic Standard Time).” Dkt. 4647.

6. As part of the confirmation/objection process, each of the Parties served a set of interrogatories upon each other. The GMS Group served its interrogatories on January 3, 2019 and the Oversight Board served theirs on January 6, 2019.

7. Between January 6-7, 2019, the parties conferred and agreed to acknowledge service of each other's interrogatories and serve their respective responses to the abovementioned interrogatories no later than January 14, 2019 at 5:00pm AST.

8. On January 10, 2019, The GMS Group and the Financial Oversight and Management Board filed an "Urgent Joint Motion by the Financial Oversight and Management Board and the GMS Group, LLC Requesting Extension of Time Until January 15, 2019 at 12:00 pm (AST) to File Interrogatories with the Court". Dkt. 4676.

9. The Court granted the parties request on January 10, 2019. Dkt. 4689.

10. In compliance with the Order, ***GMS hereby announces that it will submit the Interrogatories and the Answers to the Interrogatories as additional documents as part of its rebuttal.***

11. The following documents may be submitted as part of the rebuttal/cross-examination:

(a) Exhibit 1 – First Set of Interrogatories of the GMS Group, LLC to COFINA Agent in Support of Amended Objection of the GMS Group, LLC to Second Amended Title III Plan of Adjustment of Puerto Rico Tax Financing Corporation and Request for Evidentiary Hearing;¹

(b) Exhibit 2 - First Set of Interrogatories of the GMS Group, LLC to Financial Oversight and Management Board in Support of Amended Objection of the GMS Group, LLC to Second Amended Title III Plan of Adjustment of Puerto Rico Tax Financing Corporation and Request for Evidentiary Hearing;

¹ No response was received to this request for information.

(c) Exhibit 3 – Responses and Objections of the Financial Oversight and Management Board, as Representative of the Commonwealth of Puerto Rico, to the First Set of Interrogatories of the GMS Group, LLC.

12. GMS Group, LLC also reserves the right to respond to any statements or documents submitted by any party in connection with the above-captioned jointly administered Title III cases.

WHEREFORE, The GMS Group, LLC respectfully requests that the Court take note of the above and deem that The GMS Group, LLC has properly and timely complied with this Court's Order of January 9, 2018 regarding the announcement of witnesses.

Dated: New York, New York

January 15, 2019

GODREAU & GONZALEZ LAW, LLC

By: /s/ Rafael A. González Valiente
Rafael A. González Valiente
P.O. Box 9024176
San Juan, PR 00902-4176
787.726.0077 (office)
787.360.0787 (cell)
rgv@g-lawpr.com

PERKINS COIE LLP

By: /s/ Gary F. Eisenberg
Gary F. Eisenberg
30 Rockefeller Plaza, 22nd Floor
New York, NY 10112
Ph. 212-262-6900
Email: geisenberg@perkinscoie.com